

MINUTES OF A REGULAR MEETING

BROOKLYN CITY COUNCIL

September 22, 2014

7:00 p.m.

Present: Kathy Pucci
Mary Balbier
Kevin Tanski
Andy Celcherts
Katie Gallagher
Tony DeMarco
Ron Van Kirk

Absent: None

Pledge of Allegiance.

APPROVAL OF MINUTES:

Councilman DeMarco had some word changes he already gave Clerk Banish. Councilwoman Pucci also had gone over changes with the Clerk. **MOTION** by Pucci, second by Gallagher to approve the minutes from the meeting of June 9, 2014, as amended. **VOTE RESULTED:** *Approve, as Amended:* Yes: Pucci, Balbier, Tanski, Celcherts, Gallagher, DeMarco. Abstain: Van Kirk. No: None. **(APPROVED, AS AMENDED)**

President Gallagher noted there were only a few new things for the Agenda. There's a liquor permit for Ridge Manor; a request from Service Dir. to advertise for bids for full-maintenance, service program, refrigeration, heating, ventilation, AC systems for Rec Center; a request from Service Dir. to enter into an agreement with Cargill Salt (with Brecksville Salt Consortium); Ord. 2104-58, amending Sect. 1 of Ord. 2014-49, which authorizes purchase of a 2014 E-350 passenger bus for the Senior Center (adds \$800 because the 2014 model no longer available, the new will be a 2015); Ord. 2014-59, to purchase rubber floor tiling at Rec Center for \$64,47.37.

PUBLIC SESSION:

Ken Demchek of 4623 Winter Ln., commented that with all the construction in the city the logistics were bad, and we could have done more to make it more passable and not have two projects at one time. He also commented on a neighbor who has an existing fence on all sides of property, that they only replaced one side with new fencing, not all sides. He took it personally. He thinks there needs to be uniformity. There are no rules in the city that they would have to do that. He submitted a proposed new ordinance to not permit that.

REPORTS OF COMMITTEES, COMMISSIONS & BOARDS:

Finance Committee (Councilwoman Pucci): The Comm. met at 6:30, reminded that all are welcome. The Comm. recommended: Council authorize agreement with Cargill Salt; advertise for bids for full-maintenance at Rec Center; adopt and accept rates from Budget Comm. (property taxes, to remain unchanged in 2015). Reminded that Brooklyn has not reached its full taxing capacity the law permits us to, still under what we can levy. Also recommended authorizing the Mayor to enter into a contract with Jackson Dieken for the city's property insurance (\$179,901); Ord. 2014-52 up for 3rd Reading/Adoption (recommended by majority of Finance Comm. – though matter of personnel with some issues to discuss in executive session later); 2nd reading for Amended Annual Appropriates, and on inter-fund transfers and advances; and passage by emergency Ord. 2014-57, to authorize the Mayor enter into a contract with Bramhall Engineering and Surveying for \$93,300 (for Tiedeman Rd. project to start next year, for the continuous right turn lane onto 480 westbound – in front of Plain Dealer); to pass by emergency Ord. 2014-59, for the rubber flooring for the Rec Center (through State Contract for \$64,547.37).

Economic Development Comm. (Councilwoman Pucci): The Comm. met Sept. 17th and reviewed a pre-application for a current business applying for a Job Retention and Job Creation Grant. The Comm. is looking for more information on what the company is seeking from the city. They're also submitting an application for a Job Retention/Creation Tax Credit Grant from the State. Dir. Migliorino will meet with them and the Comm. will hold another meeting to review it. They were also informed Blue Jay Communication will be moving into an Associate Ave. building, with 100-135 jobs, though no payroll information yet. Lumen Park (senior living facility) is waiting for the deadline of the appeal process sunsets before they pay for their permits, with ground being broke next spring. The K-Mart property is close to signing a purchase agreement with a retail operation. Dir. Migliorino had a meeting with the County Landbank regarding the purchased house/property across from City Hall, and they will tear it down for the city. She also asked the Comm. to consider amending the enabling legislation for the Econ. Dev. Fund, and she in turn was asked to get sample ordinances from other cities. She and Dir. Migliorino will meet Wednesday to work on the final template for the city's economic development agreements.

Recreation Board (Councilman Tanski): Read off the list of aquatic programs available at the Rec Center, including an Arthritis Foundation program, deep water fitness, Silver Sneakers, KISS (Kids and Infant Safety Swimming). There is also basic flow yoga available. Learn to Skate program registrations start Oct. 22nd. For information on all programs, call the Rec Center, 216-351-5334. The next Rec Bd. meeting is Mon., Oct. 20th at 7 p.m. in the Mayor's Court.

Legislative Update (Councilwoman Balbier): Two House bills of interest to residents: HB 269 might be forced to a vote, dealing with specific photo identification for casting a ballot, to address fraudulent voting. It's something that could affect low income citizens. HB 617 (pending) could allow Ohioans to pay for their driver's license, plates, other BMV fees with a debit or credit card (and pass on the service fee charge to the person.)

Planning Commission (Councilwoman Gallagher): The meeting for Oct. 2nd is cancelled as there are not applications.

School Board (Councilman Celcherts): There was a special Bd. meeting Sept. 10th. Several resolutions were read and approved by them. The implementation of Board Docs was approved, moving to an automated paperless meeting record keeping system, which residents can access. They also moved to a new camera recording system, and transferring videos of meetings to Brooklyn TV should be easier and less costly. New equipment should provide better sound and image. There was a regular Bd. meeting Sept. 16th. Signage being ordered for the track at the stadium will list open hours. The track will be open Mon-Fri 7:30 a.m. to 5:30 p.m. It will be closed weekends, holidays and during organized events. Signs will be in in a few weeks. There are upcoming fundraiser events: Oct. 1st (4-9 p.m.) at BW3, 20% toward the volleyball team; Oct. 2nd Volley for the Cure game (t-shirt proceeds to the Komen Found.); Oct. 10th is Homecoming; Gold Cards being sold by the Music Dept. (\$10/card with various discounts); Oct. 24th is Make a Difference Day (from Student Council), a community service day for the students. Other business was discussed. Information on everything is available on the School's website, clicking on the Bd. of Education tab, and then to the Board Docs link. Meeting details and member votes are there. The next Board meeting is Oct. 21st and open to all.

REPORTS OF COUNCIL:

Kathy Pucci: Had some complaints from residents with WOW (Wide Open West), where there was a glitch in the broadcast – everything should be fixed now. Thanked Mary-Jo and Jill for the information. Told Comm. Kulcsar there are businesses on Brookpark who put temporary signs up on weekends in the public right-of-way (Kronheim's and AT&T); she asked him to inform them we have an ordinance prohibiting that. Last week she attended the N.E. Ohio City Council Assn. forum where both candidates for County Executive spoke and answered questions. Encouraged everyone to vote, early voting starts Sept. 30th. There will be a SafeRoutes to School meeting Sept. 24th at 7:30 in the Conference Room at Brookridge. Over a week ago met with Dir. Enovitch, and reviewed financial reporting, moving to reinstituting other reports, scheduling of financial work sessions for various topics (investment strategy, strategic planning, financial planning for future, audit, CAFR, money in Econ. Dev. Fund, financing of potential development), digitizing records, moving towards Council going paperless. Responded to Mr. Demchek that the city didn't plan the road construction this way (we would not have done it this way). Tiedeman should have been last fall, and it was

pushed back by ODOT (their project). Council understands and experiences the same frustration everyone does, but certainly did not schedule it that way. Also, there's an ordinance requiring fences to be stained or painted, after weathering for a period after installation. Acting Comm. corrected that depending on the product they do not have to be stained, especially if they are treated or cedar. She added to the info about HB 269 that it's not only low income people not having a photo ID, but people who rent might move a lot and not have the money to pay to replace their licenses, and a lot of elderly are impacted due to various circumstances. Gave a 'shout out' to her husband, Frank, on their 30th wedding anniversary, and their son, Kevin, on his 19th birthday.

Mary Albier: Also attended the N.E. Ohio City Council Assn. meeting, for the forum of the two candidates for County Executive to present their plans for the future, and cited some of their concerns. Remember to request an absentee ballot, they will not be automatically sent. Extended condolences to Officer Celis, who was appointed at the previous meeting, on the passing of his mother. Reminded that tickets for the Democratic fundraiser on Oct. 20th at 6 p.m. at the Community-Senior Center are available, open to all residents, catered by Sokolowski's. Visited on a Wed. at the Senior Center with the ladies who do the quilting and commends them on their work. Mentioned there will be a candlelight vigil for Spc. Angel Lopez, who was killed in Afghanistan on Oct. 5th at 4816 Rodoan.

Kevin Tanski: Had numerous calls and complaints from residents on the construction. In the future the Mayor and Council could be more vocal on how many roads get barreled up. He's not sure on the impact they would have, but need to be more vocal. Asked Dir. Verba (in the absence of Chief Mielke) about a no turn sign down at a location. Dir. Verba said he'd have to talk to the Police Dept. and construction company, he cannot answer at this time. Expressed he is also fed up with the construction, but understands the roads have to be restored.

Andy Celcherts: Brooklyn Historical Society will hold their annual Shunpike Shoppe sale on Sept. 27th from 10-3, and Sept. 28th from noon-3, free admission, tickets for a quilt. Oct. 9th the Chamber of Commerce will host Campus Life leader Nick Marulous and exec. director Jeff Thompson about their organization and impact on children's lives. It's at the Hampton Inn at 11:30 a.m., cost is \$15 members, \$20 non-members. The Senior Center's Oktoberfest is Oct. 16th beginning at 11:30, with dancing at 1 p.m., cost \$8. Snow removal sign-up is now thru Sept. 26th, cost \$40 (after the 26th a late charge of \$15). The Community-Senior Center indoor garage sale/flea market is Oct. 4th from 9 a.m. to 2 p.m., call 635-4222 for more information.

Tony DeMarco: Asked if he (and Council) be sent meeting minutes from Economic Development for the last four-five minutes, he hasn't seen any. As was mentioned earlier, he's disappointed in the new hours at the track (Mon-Fri, 7:30-5:30 p.m.). It doesn't even work for him, so will not be able to use it at all. Very disappointed by this decision by the school. Announced that effective this evening he resigns his position as member of Finance Committee.

Ron Van Kirk: Echoes most of what other Councilmembers have said. Understands the frustration with construction, also receiving phone calls. Continue being patient, it will be better when it's all finished. Also echoes the comments on the hours for the track, the hours don't work for people who have spoken to him. He hopes the School Bd. reconsiders more weekend hours and extended hours.

Katie Gallagher: As was said, everything was pretty much covered. Announced the Lutheran Church of the Good Shepherd (8235 Memphis, 216-661-9818) will have Blessing of Pets on Sat., Oct. 4th at noon. Friends of Brooklyn Library will have a book sale Oct. 4th from 9 a.m. to 4 p.m., and Oct. 5th from 1-3 p.m., with proceeds going for equipment for the Library.

MAYOR'S REPORT:

Mayor Albier: He asked Dir. Migliorino the other day to send the Econ. Dev. meeting minutes out, but she said they hadn't been approved yet, but he'll make sure she gets them to him (Councilman DeMarco). Dir. Verba attended a Ridge Rd. construction meeting last week; he was informed the job will be done by Thanksgiving, depending on the weather. He reminded that this is a year earlier than originally planned. He understands the complaints about the construction, and traffic patterns changing almost daily.

Congratulated the three police officers and a fire fighter sworn in at the last meeting. Paperwork for the Block Grant were turned in, applying for moneys for LED lighting on city property (City Hall, Rec Center, Senior Center, city parks, etc.) Parma, Parma Hts. and Brooklyn have combined and will have a central dispatch, and have sent letters to Congresspersons asking for Federal help, in addition to the grant money available through the county. The final contract will be out shortly. Reported that in the August monthly Fire report, a fire at Vendor's Exchange caused the sprinkler system to go off, and it wouldn't shut off, so the floor buckled; resulting in the fire costing \$250,000; there was a car fire (\$3,000); a house fire (\$70,000); a truck on 480 loaded with produce (loss of \$96,000); for a total of \$419,000 in fire damage, very unusual for our city.

DIRECTORS REPORTS:

Finance Dir. Enovitch: Reported the year to date revenues are \$14,194,000; \$13,282,000 from RITA distributions (withholding, net income, taxpayer); expenditures are \$10,608,730 (but the landfill looming with an expense, a fire truck on order, two other vehicles for fire, new salt truck coming). Today's General Fund balance is \$11,052,000; total fund balance is \$22,509,793. Was sorry to hear Councilman DeMarco decided to resign from Finance Comm., he's appreciated his input and his contribution will be missed.

The Mayor said he forgot to add the construction on Outlook is scheduled to be done Oct. 10th; the construction on Rodoan south of Biddulph and Bentwood will start Oct. 1st.

Acting Bldg. Comm. Kulcsar: Gave a property maintenance update, as the last week since the start of April 21st is completed (by inspector Marty Baier.) East of Ridge and south of Biddulph to the city limits, exterior property inspections; 138 violation letters, with 69 complying; handling over 107 high grass complaints, with 85 notifications. 20 being cut by the city and liens to be imposed. The next focus area for inspections will be south of Biddulph and west of Ridge. If anyone has questions regarding property maintenance inspections, processes, etc., contact the Building Dept.

REQUEST:

Request for a liquor permit for St. Theodosius for beer, wine and liquor (D1, D2 and D3). This means they won't need to get single permits for events. **MOTION** by Pucci, second by Celcherts for a position of no objection. **VOTE RESULTED: No Objection:** Yes: Pucci, Balbier, Tanski, Celcherts, Gallagher, DeMarco. Abstain: Van Kirk. No: None. **(NO OBJECTION)**

Request to authorize agreement with Cargill. **MOTION** by Pucci, second by Celcherts to authorize. **VOTE RESULTED: To Authorize:** Yes: Pucci, Balbier, Tanski, Celcherts, Gallagher, DeMarco, Van Kirk. No: None. **(AUTHORIZED)**

Request to advertise for bids for the full maintenance program for the Recreation Center. **MOTION** by Pucci, second by Tanski to authorize. **VOTE RESULTED: To Authorize:** Yes: Pucci, Balbier, Tanski, Celcherts, Gallagher, DeMarco, Van Kirk. No: None. **(AUTHORIZED)**

LEGISLATION:

RESOLUTION 2014-5, Accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Fiscal Office. **MOTION** by Pucci, second by Celcherts to adopt. **VOTE RESULTED: To Adopt:** Yes: Pucci, Balbier, Tanski, Celcherts, Gallagher, DeMarco, Van Kirk. No: None. **(ADOPTED)**

ORDINANCE 2014-51, Authorizing the Mayor to enter into a contract with Jackson, Dieken and Assoc. for the purpose of providing Property and Casualty Insurance for the City of Brooklyn for the period of September 25, 2014 to September 25, 2015 for a total cost of \$179,901. **MOTION** by Celcherts, second by Tanski to adopt. **VOTE RESULTED: To Adopt:** Yes: Pucci, Balbier, Tanski, Celcherts, Gallagher, DeMarco, Van Kirk. No: None. **(ADOPTED)**

ORDINANCE 2014-52, Establishing the full-time position of Parks and Recreation Commissioner, and repealing the position of Recreation Commissioner. In the Finance Comm. some Councilmembers asked to speak in Executive Session about this before voting, so it will go to the bottom of the agenda, and then Council will go into Executive Session for this and union wages and a lawsuit, reconvene, and vote on it.

ORDINANCE 2014-54, Amending the Annual Appropriations. **(SECOND READING)**

ORDINANCE 2014-55, Authorizing inter-fund transfers and advances during 2014. **(SECOND READING)**

ORDINANCE 2014-57, Authorizing the Mayor to enter into a contract with Bramhall Engineering and Surveying Co., Inc. for the sole purpose of engineering services for Tiedeman Road PID#95548 for a total cost of \$93,300. **MOTION** by Pucci, second by Celcherts to suspend the rules. **VOTE RESULTED: Suspend the Rules:** Yes: Pucci, Balbier, Tanski, Celcherts, Gallagher, DeMarco, Van Kirk. No: None. **To Adopt:** Yes: Pucci, Balbier, Tanski, Celcherts, Gallagher, DeMarco, Van Kirk. No: None. **(ADOPTED)**

ORDINANCE 2014-58, Amending Sect. 1 of Ord. 2014-49, adopted Sept. 8, 2014, entitled, 'Authorizing the purchase of a 2014 Ford E-350 passenger bus for the use by the Senior Center from Valley Ford Truck in the amount of \$58,758.50, and utilizing a Parma Hospital Healthcare Foundation Grant in the amount of \$50,000.' **MOTION** by Pucci, second by Celcherts to suspend the rules. **VOTE RESULTED: Suspend the Rules:** Yes: Pucci, Balbier, Tanski, Celcherts, Gallagher, DeMarco, Van Kirk. No: None. **To Adopt:** Yes: Pucci, Balbier, Tanski, Celcherts, Gallagher, DeMarco, Van Kirk. No: None. **(ADOPTED)**

ORDINANCE 2014-59, Authorizing the purchase of rubber floor tiling for the John M. Coyne Recreation Center from Continental Commercial Floors in the amount of \$64,547.37 through the State Purchasing Program. **MOTION** by Pucci, second by Celcherts to suspend the rules. **VOTE RESULTED: Suspend the Rules:** Yes: Pucci, Balbier, Tanski, Celcherts, Gallagher, DeMarco, Van Kirk. No: None. **To Adopt:** Yes: Pucci, Balbier, Tanski, Celcherts, Gallagher, DeMarco, Van Kirk. No: None. **(ADOPTED)**

The Council will go into Executive Session for Ord. 2014-52 and no other business will be after that.

MOTION by Pucci, second by Van Kirk to go into Executive Session to discuss union, wage and healthcare reopener, a lawsuit, and matters of personnel in the Recreation Dept. with the Mayor, Law Director and Finance Director. **VOTE RESULTED: Adjourn to Executive Session:** Yes: Pucci, Balbier, Tanski, Celcherts, Gallagher, DeMarco, Van Kirk. No: None. **(ADJOURNED TO EXECUTIVE SESSION)**

Council adjourned to Executive Session and then reconvened.

MOTION by Pucci, second by DeMarco to reconvene. **VOTE RESULTED: Reconvene:** Yes: Pucci, Balbier, Tanski, Celcherts, Gallagher, DeMarco, Van Kirk. No: None. **(RECONVENED)**

President Gallagher said that Councilman Van Kirk has a possible solution and will send an e-mail out tomorrow. Council will revisit this in a 30 day period. **ORDINANCE 2014-52**, Establishing the full-time position of Parks and Recreation Commissioner, repealing the position of Recreation Commissioner. **MOTION** by Pucci, second by Celcherts to hold in abeyance and revisit within 30 days. **VOTE RESULTED: To Hold in Abeyance :** Yes: Pucci, Balbier, Tanski, Celcherts, Gallagher, DeMarco, Van Kirk. No: None. **(HELD IN ABEYANCE)**

There being no further business, **MOTION** by DeMarco, second by Celcherts to adjourn. **VOTE RESULTED: Adjourn:** Yes: Van Kirk, Pucci, Balbier, Celcherts, Gallagher, DeMarco. No: None. **(ADJOURNED)**